



The School's Role in Preventing Child Abuse and Neglect

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January 2012



Wisconsin Department of Public Instruction

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This publication is available from:

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This document is also available online:
<http://dpi.wi.gov/sspw/sswchildabuse.html>

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Introduction

Educators see and work with school-age children on a daily basis during the school week throughout the school year. This reality puts these school staff “on the front lines” of identifying possible child maltreatment.¹

It is in the best interests of children and youth for schools, local child welfare agencies, and local law enforcement agencies to work together cooperatively to protect young people. This publication is designed to help educators² better understand their legal responsibilities to report suspected child abuse and neglect and to assist them in understanding the child protective services initial assessment process.³ In addition, provisions in the law for schools and counties to share confidential information are included to help promote better working relationships between the two respective systems.

This document has been reviewed by representatives of the Departments of Public Instruction (DPI) and Children and Family Services (DCFS) to ensure that its contents are consistent with the guidance these agencies provide to schools and local child welfare agencies.

Please note that links in the electronic version of this publication are current as of January 2012.

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¹ Throughout this document the terms "child maltreatment" and "child abuse or neglect" have the same meaning and are used interchangeably.

² For the purposes of this publication, an “educator” is a school district employee.

³ Throughout this document the term “initial assessment” refers to a comprehensive assessment of individual and family conditions, functioning, and dynamics in response to a report of alleged child maltreatment and includes the CPS investigation process as defined in Wis. Stat. sec. 48.981(3)(c).

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Questions and Answers

1. What are the different forms of child maltreatment?

Physical abuse is non-accidental physical injury inflicted on a child, Wis. Stat. sec. [48.02\(1\)\(a\)](#). The maltreater may or may not intend to harm the child. The injury must be severe enough to meet the definition of “physical injury” in [Appendix A](#).

Emotional damage means harm to a child's psychological or intellectual functioning for which the child's parent, guardian, or legal custodian has neglected, refused, or been unable for reasons other than poverty to obtain necessary treatment or take steps to ameliorate the symptoms. Emotional damage is evidenced by one or more of the following exhibited to a severe degree: anxiety; depression; withdrawal; outward aggressive behavior; or substantial or observable change in the child's behavior, emotional response or cognition that is not within the normal range for the child's age and stage of development, Wis. Stats. sec. [48.02\(1\)\(gm\)](#) and [48.02\(5j\)](#).

Sexual abuse is inappropriate sexual behavior with a child, including fondling genitals (maltreater's or child's), intercourse, incest, rape, sodomy, exhibitionism, sexual exploitation, exposure to pornography, causing a child to view or listen to sexual activity for the purpose of sexual arousal or gratification of the actor or humiliating the child; and allowing or encouraging a child to engage in prostitution. It does not include sexual curiosity and behaviors that are developmentally normal for pre-adolescent children, Wis. Stat. sec. [48.02\(1\)\(b-f\)](#).

Methamphetamine manufacture in a child's home, on the premises of a child's home, in a motor vehicle on the premises of a child's home, or where a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child is considered child abuse in Wisconsin, Wis. Stat. sec. [48.02\(1\)\(g\)](#).

Neglect means failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child, Wis. Stat. sec. [48.02\(12g\)](#). Note that “seriously endanger” includes potential as well as actual harm to the child. Actual physical harm need not occur for the child to be seriously endangered; it is sufficient that such harm could happen except for the intervention of others. *In the Interest of A.E. v. State*, 163 Wis. 2d 270 (Wis. App. 1991).

2. Is a self-inflicted injury (e.g., cutting or threatened suicide by a minor) considered abuse?

No. Self-inflicted injuries and threatened suicide are not “abuse” under Ch. 48. However, these actions are serious threats to a youth's health and life and should be addressed through other means (e.g., notification of the family or referral for mental health assessment and treatment). State law grants immunity from civil liability (for acts or omissions) to educators who, in good faith, attempt to prevent suicide by a student, Wis. Stat. sec. [118.295](#). If there is serious and imminent danger, law enforcement authorities should be contacted immediately, as they have the authority and the capacity to take an individual into custody, if warranted.

If the family of a child engaged in self-injury or who has threatened suicide refuses to pursue necessary services and treatment, a referral for suspected emotional damage should be made to the local child protective services (CPS) agency.

3. If parents keep their child home from school or don't support the child's school attendance, is that considered neglect under Chapter 48?

No. The school should follow Wis. Stats. sec. [118.16](#), [938.13](#), and [938.17\(2\)](#), and local school district policies to deal with truancy when the school believes the family may be contributing to the truancy.

4. If a parent chooses not to give his/her child prescribed medication, is that considered medical neglect under Ch. 48?

There are many prescribed medications that, if not given, do not seriously endanger a child's physical health. For instance, stimulant medications, such as Ritalin, are often prescribed for attention deficit hyperactivity disorder (ADHD). Not giving the child this medication may result in higher activity levels, less ability to concentrate on learning, and poor peer relationships, but none of these would be considered serious endangerment of the child's physical health. If a parent, however, chooses not to give a child prescribed medication, such as insulin, and this action results or may result in seriously endangering the child's physical health, a report of suspected neglect should be made.

5. Who is required to report suspected child abuse or neglect?

All employees of public school districts are required to report suspected child abuse or neglect. Specifically, state law requires individuals in the following occupations to report suspected child abuse or neglect of a child seen in the course of professional duties:

- school teacher;
- school administrator;
- school counselor;
- school employee (not otherwise specified in statute);
- speech-language pathologist;
- nurse;
- physical therapist;
- physical therapy assistant;
- occupational therapist;
- medical or mental health professional (not otherwise specified in statute);
- social worker;
- professional counselor;
- physician;
- coroner;
- medical examiner;
- dentist;
- chiropractor;
- optometrist;
- acupuncturist;
- marriage and family therapist;

- public assistance worker, including a financial and employment planner, as defined in Wis. Stat. sec. [49.141\(1\)\(d\)](#);
- mediator under Wis. Stat. sec. [767.405](#);
- child-care worker in a day care center, group home, as described in Wis. Stat. sec. [48.625\(1m\)](#), or residential care center for children and youth;
- day care provider;
- alcohol or other drug abuse counselor;
- member of the treatment staff employed by or working under contract with a county department under Wis. Stat. sec. [46.23](#), [51.42](#), or [51.437](#) or a residential care center for children and youth;
- dietitian;
- audiologist;
- emergency medical technician;
- first responder;
- a police or law enforcement officer;
- a court-appointed special advocate; and,
- in some circumstances, a member of the clergy, Wis. Stat. sec. [48.981\(2\)](#).

School districts, through their local policies, may choose to extend the expectation to report suspected abuse to contracted school staff (e.g., bus drivers).

6. When is a person required to report?

Wisconsin law requires any person (listed in Question [#5](#))

- who has reasonable cause to suspect that a child, seen by the person in the course of professional duties, has been abused or neglected, or
- who has reason to believe that a child, seen by the person in the course of professional duties, has been threatened with abuse or neglect and that abuse or neglect of the child will occur,

to immediately notify the local child protective services (CPS) agency or local law enforcement agency in person or by telephone, Wis. Stat. sec. [48.981\(3\)\(a\)](#).

By qualifying that reports must be made “immediately,” the implication is there should be no delay for any reason. For instance, an educator should not wait until she/he has a “free period” later in the day to make a report. Local school district policy should support the need for immediate reports by ensuring that arrangements are made for supervision of a teacher’s classroom or other necessary educator responsibilities.

Please note that reports are required only when the child is *seen in the course of professional duties*. That is, the individual must have first-hand contact with the child as part of his/her work. A child seen in the course of professional duties is not limited to the classroom. For instance, if an educator is required to attend school sporting events as a monitor, a child seen in that venue would constitute a child seen in the course of professional duties.

If a mandated reporter becomes aware of suspected abuse outside of his/her professional work, e.g., within a neighbor family, a report would not be required. However, the individual could choose to make a report, Wis. Stat. sec. [48.981\(2\)\(c\)](#). Receiving second-hand information or hearsay that a child has been abused would not require a report if the

mandated reporter has not seen the child in the course of professional duties. However, the professional may feel ethically bound to contact the child, within the scope of her/his professional duties, to determine if a report is necessary.

7. What constitutes being “threatened with abuse or neglect?”

The Department of Children and Family Services (DCFS) has historically interpreted threatened child abuse or neglect to be related to conditions or behaviors on the part of caregivers that are dangerous to the child. For example, violent behavior in the home or neglect in the home can threaten a child’s safety, even if the child has not yet been injured. Sometimes it is an accumulation of behaviors or conditions that are not individually dangerous, but taken together, pose a threat to the child. The intent is for Child Protective Services (CPS) to intervene before a child is seriously harmed, if that harm can be reasonably predicted or foreseen, based on reported information and, when applicable, previous CPS reports.

8. How can a person determine if a report for abuse or neglect needs to be made?

Children typically experience injuries through the normal course of growing to adulthood. It is not unusual for children to scrape knees, bruise arms, bump heads, burn fingers, or break bones. Generally, children have reasonable explanations for these injuries. However, sometimes children may not have an explanation that seems to fit the injury or they may be very evasive about how the injury occurred. A child may volunteer that he/she has been abused. Other times a child’s actions may indicate she/he may have been abused (e.g., acting in a sexually provocative manner with adults or older youth).

Obviously, mandated reporters should not make a report simply because a child has an injury. Injuries are almost always accidental. Generally, a mandated reporter must speak with the child to determine if a reasonable suspicion exists to believe that the child may have been abused. Once the mandated reporter has determined that a report needs to be made (or not), any questioning of the child regarding any possible abuse should cease. To continue with questions could potentially contaminate any subsequent investigation by Child Protective Services or law enforcement.

Indicators of possible child abuse and neglect are listed in [Appendix B](#).

9. Should a report for suspected child maltreatment be made based upon second-hand information?

It is not unusual for a parent or a student to share concerns with an educator about the possible maltreatment of another child. A report should not be made at this point by the educator, unless there is a fear of serious and imminent danger to the child. Typically, the appropriate step is for the educator to meet with the child to gain first-hand knowledge of the situation (if time permits) to determine if a report is appropriate. The educator could encourage the person with the information to make a report to the Child Protective Services (CPS) agency. However, there is no assurance that would occur. It should be emphasized that an educator, as a mandated reporter, must have seen the child in the course of professional duties and have a reasonable suspicion that maltreatment has occurred. Those requirements are not necessary for an educator to make a report as a non-mandated reporter. Any person making a report in good faith is immune from civil and criminal liability, Wis. Stat. sec. [48.981\(4\)](#).

10. Are there any guidelines for how to talk to a child when abuse or neglect may be suspected?

Below are some general guidelines for talking with children about possible abuse or neglect from The Role of Educators in Preventing and Responding to Child Abuse and Neglect by Cynthia Crosson-Tower:

- Make the child as comfortable as possible.
- Proximity to the child should be designed to make the child feel at ease. Younger children may feel more comfortable with the adult seated next to them.
- Avoid sitting behind a table or desk.
- Allow the child to tell you what he/she wants.
- Ask open-ended, simple questions with only one idea (e.g., “How did this happen?”)
- Do not ask leading questions. (e.g., Did your father do this to you?).
- Do not interrupt or correct the student.
- Use age-appropriate language.
- Do not display any shock, anger, disbelief, disgust, dread, confusion or other extreme reaction to what the child reveals.
- Validate the child’s self-disclosure.
- Reassure the child the abuse is not his/her fault.
- Tell the child a report must be made (if applicable).
- Prepare the child for what will likely happen in the subsequent initial assessment.
- Do not promise the child that everything will be OK. The child may have an idea of what that might mean and the subsequent actions taken by the child welfare agency to protect the child, if any, may not match the child’s expectations.

11. May a mandated reporter consult with someone else prior to making a report for suspected abuse or neglect?

Sometimes an educator may be unsure whether or not a report should be made. In addition, sometimes a person with clinical skills (e.g., pupil services professional) needs to interact with the child to determine whether or not a report is required. In short, consultation is acceptable, but it cannot result in delaying a report. For instance, a classroom teacher may want to consult with a pupil services professional to help decide if a report is necessary. It is acceptable to consult with the pupil services professional if he/she is immediately available. However, if the pupil services professional is not available until the next day or even later in the same day, a report should be made by the teacher.

Another consultation strategy is for the educator to contact the county Child Protective Services (CPS) agency or a law enforcement officer, explain the situation, and ask for advice regarding whether a report should be made. When using this strategy, the name of the child need not be shared, unless a report is subsequently made.

Always, if there is any doubt about whether a report is legally required, a report should be made.

12. If more than one educator is involved, who should make the report?

When more than one educator is involved, the educator with the greatest amount of first-hand knowledge of the child and the reasons for the report should make the contact with the Child

Protective Services (CPS) agency or law enforcement. If more than one educator has first-hand and different knowledge of suspected child maltreatment, all of them should participate in the report. An educator with first-hand knowledge should not ask someone else with less knowledge to make a report. Asking someone else does not absolve the educator from the legal responsibility to report. However, another educator with less or no first-hand knowledge could help to facilitate the report, as long as this results in the educator with the most first-hand knowledge speaking directly to the CPS caseworker.

13. May a school establish a procedure that expects educators to notify the building principal or other school district official when a report for suspected abuse or neglect is being made?

Yes. Some school districts have the reporter complete a form that documents the report for suspected abuse or neglect. Because families may generate multiple referrals over time, this procedure can help a school better advocate for interventions and services for children and their families. Any form completed for the school district should be stored in a manner that maintains the confidentiality of the reporter's identity, consistent with state law, Wis. Stat. sec. [48.981\(7\)](#).

However, any school district procedure may not delay, hinder, or prohibit the educator from complying with the law and reporting suspected abuse or neglect. In addition, a school administrator or other school district representative may not "screen" a report to determine if it should be made or make the report instead of the educator with first-hand knowledge, Wis. Stat. sec. [48.981\(3\)\(a\)](#).

14. What if two (or more) educators disagree regarding whether a report for suspected abuse or neglect should be made?

If any mandated reporter has reason to believe that a child may have been abused or neglected, that person is legally required to report, even if others do not agree.

15. May an educator check under a student's clothing for signs of abuse?

State law prohibits a school employee or official from conducting a strip search, Wis. Stat. sec. [118.32](#). Consequently, educators should exercise caution in this area and generally limit the visual observation of a student to portions of the body that are commonly exposed (e.g., head, arms, lower legs).

A notable exception, however, is a school nurse who, in the course of treating a student for an injury or illness, may ask a student to open or take off articles of clothing and, as a result, may observe signs of physical abuse.

16. How can a mandated reporter determine if a minor who is sexually active must be reported for suspected abuse?

There are three critical factors that determine whether or not a sexually active minor must be reported for suspected abuse:

- a) voluntary vs. involuntary "sexual contact" or "sexual intercourse," as defined in Wis. Stats. sec. [948.01\(5\)](#) and [\(6\)](#),
- b) the age of the minor, and
- c) whether the minor has accessed health care services, as defined in Wis. Stat. sec. [48.981\(2m\)\(b\)2](#).

See [Appendix A](#) for definitions of “sexual contact” and “sexual intercourse.” See [Question #17](#) for the definition of “health care services.”

Anytime someone has had involuntary sexual contact or sexual intercourse with a minor, a report for suspected abuse must be made.

Consensual sexual *contact* with a minor 16 or 17 years old is not illegal. Consensual sexual *intercourse* with a minor 16 or 17 years old, while illegal under Wis. Stat. sec. [948.09](#), is not required to be reported as suspected abuse, because it is not cross-referenced in the definition of “abuse” in Wis. Stat. sec. [48.02\(1\)\(b\)](#). A published Wisconsin Attorney General opinion is the source of this conclusion (Ref. 72 Atty. Gen. 93). More specific information can be obtained in *Reporting Requirements for Sexually Active Adolescents* at <http://dpi.wi.gov/sspw/tadocs.html>.

Any sexual contact or intercourse, voluntary or involuntary, with a minor under the age of 16 years must be reported as suspected abuse. However, a provision in Ch. 48 provides for an exception to the reporting requirement in order “to allow children to access confidential health care services,” Wis. Stat. sec. [48.981\(2m\)](#). See [Question #17](#) for additional information.

17. Are there any exceptions to the requirement to report?

Wisconsin law includes one exception to the requirement to report suspected abuse: in order to allow children to access confidential health care services, defined as family planning services, including pregnancy testing, obstetrical health care or screening, and diagnosis and treatment for a sexually transmitted disease, Wis. Stat. sec. [48.981\(2m\)\(b\)2](#).

Specifically, a health care provider, defined in Wis. Stat. sec. [48.981\(2m\)\(b\)1.](#), as a physician, physician’s assistant, or nurse, providing health care services (as defined above) to a minor need not make a report, as long as the health care provider does not believe any of the following may be true:

- a) the sexual intercourse or contact occurred or is likely to occur with a caregiver,
- b) the child suffered or suffers from a mental illness or mental deficiency that rendered or renders the child temporarily or permanently incapable of understanding or evaluating the consequences of her/his action,
- c) the child, because of her/his age or immaturity, was or is incapable of understanding the nature or consequences of sexual intercourse or sexual contact,
- d) the child was unconscious at the time of the act or for any other reason was physically unable to communicate unwillingness to engage in sexual intercourse or sexual contact,
- e) another participant in the sexual contact or sexual intercourse was or is exploiting the child, or
- f) there is a reasonable doubt as to the voluntary nature of the child’s participation in the sexual contact or sexual intercourse, Wis. Stat. sec. [48.981\(2m\)\(d\)](#).

The only professional working in a school who meets the statutory definition of a health care provider as defined in Wis. Stat. sec. [48.981\(2m\)\(b\)1.](#), is a school nurse.

In addition to a reporting exception for the health care provider providing the health care services as defined in Wis. Stat. sec. [48.981\(2m\)\(b\)2.](#), the law also states that “a person who obtains information about a child who is receiving or has received health care services from a

health care provider” also need not report, as long as none of the circumstances described above apply. The statute does not limit who that “person” may be. It is not uncommon for minors to disclose to others, including adults who may be mandated reporters, that they have accessed health care services. Consequently, in order to maintain minors’ right to confidential health care services, mandated reporters, other than health care providers, may not be required to report under these circumstances, Wis. Stat. sec. 48.981(2m). More specific information can be obtained in *Reporting Requirements for Sexually Active Adolescents* at <http://dpi.wi.gov/sspw/pdf/rfsaa.pdf>.

18. How is a report for suspected abuse or neglect made?

There are two ways to meet the legal requirement to report suspected abuse or neglect: a) call the local Child Protective Services (CPS) agency, or b) call local law enforcement Wis. Stat. sec. 48.981(3)(a)1. The reporter should be prepared to share detailed information, including:

- a) Reporter’s name, position, school, school phone number;
- b) Child’s name, address, and age;
- c) Reporter’s relationship to the child;
- d) Parent’s name, address, work place (if applicable);
- e) Names and ages of siblings;
- f) Description of the suspected child abuse or neglect (or the threat of child abuse or neglect), statements made by the child, statements the child allegedly made to others, observations of the child that may indicate child abuse or neglect, past interactions with the parents or other caretakers that might be indicative of child abuse or neglect; and
- g) Any previous reports of suspected abuse or neglect related to this child or family (if applicable).

In addition, the reporter may 1) ask if the child will be interviewed and when, and 2) indicate that she/he wants to be notified of the outcome of the investigation, as required in Wis. Stat. sec. 48.981(3)(c)6. See Question #29 for more information.

19. Should parents be notified of a report for suspected abuse or neglect?

If a parent could possibly be the maltreater of the child or could be contributing to the maltreatment in some way, then parents should not be notified of the report. To do so would allow the parents, if they have maltreated their child or contributed to the maltreatment, to prepare an explanation that will make it more difficult for the Child Protective Services (CPS) initial assessment to result in services and better outcomes for the child.

However, if the parents are not suspected of being the maltreater or of contributing to the maltreatment, then parents should be notified, in order for them to take steps to protect their child. Who notifies the parent (e.g., the educator making the report or the CPS caseworker) and when the parents should be notified is best negotiated between the two systems by authorized representatives. This can be done on a case-by-case or ongoing policy basis.

20. Are any protections provided to reporters?

Yes. State law provides a variety of protections to people who make reports of suspected abuse or neglect in good faith.

- a) All reports of suspected abuse or neglect are confidential. With few exceptions as delineated in statute, no information that could be used to identify the reporter (e.g.,

- place of employment, job title) can be shared, Wis. Stats. sec. [48.981\(7\)\(a\)1.](#), [3m.](#), and [4.](#)
- b) Anyone who, in good faith, reports suspected abuse or neglect is immune from both criminal and civil liability, Wis. Stat. sec. [48.981\(4\).](#)
 - c) No person may be discharged, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment, for making a report of suspected abuse or neglect in good faith, Wis. Stat. sec. [48.981\(2\)\(e\).](#)

21. Are there any sanctions for intentional failure to report suspected abuse or neglect?

Yes. Someone who is legally required to report suspected abuse or neglect and intentionally does not do so may be fined not more than \$1,000 or imprisoned not more than 6 months, or both, Wis. Stat. sec. [48.981\(6\).](#)

22. Are reports of vulnerable adults (e.g., cognitively disabled) required under the law?

Yes, but the people required to report are different than those listed in Question [#5](#) and the Wisconsin Children’s Code (i.e., Chapter 48). An “adult at risk” is defined as any adult who has a physical or mental condition that substantially impairs his/her ability to care for his/her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation, Wis. Stat. sec. [55.01\(1e\).](#) The following people are required to report suspected abuse of an adult at risk: 1) any employee of any organization that is licensed, certified, or approved by or registered with the Department of Health Services (DHS); 2) a health care provider, as defined in Wis. Stat. sec. [155.01\(7\)](#), some of whom include a nurse, physical therapist, physical therapy assistant, occupational therapist, and occupational therapy assistant; and 3) a social worker, professional counselor, or marriage and family therapist, Wis. Stat. sec. [55.043\(1m\).](#)

Schools continue to educate some students with disabilities through the age of 21 years. Consequently, there are some professionals working in schools who would be required to report an adult student who fit the description above.

23. What should be done if a fellow educator is suspected of abusing a student?

As difficult or awkward as it may be, a report of suspected abuse of a child must be reported as outlined in Question [#18](#), even if the suspected maltreater is a colleague. It is also critical to notify the school administration, as well. The school district will begin its own investigation to determine if the employee (i.e., the suspected maltreater) did anything that warrants the school district taking any disciplinary action. In addition, local law enforcement officials may become involved to determine if criminal charges are warranted. Because all three investigations may be conducted simultaneously, it is important that they be coordinated, to the extent allowed by law, to ensure that none of the investigations interfere with the others. See Question [#32](#) for more information about what information can be shared between systems.

An educator may lose her/his certification through the Department of Public Instruction (DPI) for “immoral conduct,” defined as “conduct or behavior that is contrary to commonly accepted moral or ethical standards and that endangers the health, safety, welfare, or education of any pupil,” Wis. Stats. sec. [115.31\(1\)\(c\)](#) and [\(2\).](#)

A school district administrator must report to the State Superintendent of Public Instruction the name of any DPI-licensed person employed at the education agency if:

- The person is charged with a crime under Ch. 948 (Crimes Against Children), a felony with a maximum term of imprisonment of at least 5 years, or a crime in which the victim was a child;
- The person is convicted of a crime (described above) or of 4th degree sexual assault;
- The person is dismissed, or his/her contract is not renewed, by the employer based in whole or in part on evidence that the person engaged in immoral conduct; or
- The person resigns and the administrator has a reasonable suspicion that the resignation relates to the person having engaged in immoral conduct, Wis. Stat. sec. [115.31\(3\)\(a\)](#).

A school district administrator must report to the State Superintendent of Public Instruction the name of any person employed at the education agency if:

- the person is convicted of a crime described under Ch. 948 (Crimes Against Children), a felony with a maximum term of imprisonment of at least 5 years, or a crime in which the victim was a child, Wis. Stat. sec. [115.31\(3\)\(b\)](#).

24. If a child lives in County A and maltreatment of that child is suspected to have occurred in County B, which county should receive the report?

If the child lives in one county and the suspected maltreatment occurred in another county, the report should be made to the authorities in the county in which the child lives. If contacts need to be made with child protective services (CPS) or law enforcement in the other county, the authorities from the county of the child's residence will do that.

25. What happens after a report for suspected abuse or neglect is made?

The child protective services (CPS) caseworker interviews the reporter over the telephone to collect as much information as possible to make appropriate decisions. Reports are immediately analyzed to determine if the child might possibly be in danger. The primary decisions are 1) screening (i.e., whether to accept a report for assessment, based upon the information in the report and past records, if any), and 2) determining the response time on screened-in reports. Response times (i.e., a face-to-face contact with a family member to assess the child's safety) vary from immediately to within five working days. The screening and response time decisions must be made within 24 hours.

State initial assessment standards developed by the Department of Children and Family Services (DCFS) must be followed by the child welfare agency, Wis. Stat. sec. [48.981\(3\)\(c\)](#). These standards (effective 9-24-07) may be accessed at http://dcf.wisconsin.gov/memos/num_memos/2007/2007-11Standards.pdf. The Glossary for the Child Protective Services Access and Initial Assessment Standards can be found at http://dcf.wisconsin.gov/memos/num_memos/2007/2007-11appen.pdf. Who is interviewed by the CPS caseworker depends upon the specific allegations, who the suspected maltreater is, and whether there is a legal basis or consent for the interview. The initial assessment may be conducted jointly with local law enforcement.

26. Why doesn't the child welfare agency take action on behalf of children each and every time a report for suspected maltreatment is made?

State law and initial assessment standards have established criteria for what constitutes the various forms of child maltreatment. For instance, physical abuse must be severe enough to

meet the definition of a physical injury in Wis. Stat. sec. [48.02\(14g\)](#). Neglect must seriously endanger the physical health of the child, Wis. Stat. sec. [48.02\(12g\)](#).

Families have a constitutional right to raise their children free of government interference unless there is reasonable information that the children might be abused, neglected, or in danger of abuse or neglect, as defined by statutes. Child protective services (CPS) agencies screen out reports that, even if true, would not constitute maltreatment or threat of maltreatment.

Screened-out reports are maintained by the child welfare system and reviewed if a new report is made in the future. Sometimes a history of "minor" reports that may have been screened out, when considered as a whole, can constitute a possible threat to the child, thus warranting CPS intervention.

27. What arrangements should the school make to cooperate with the Child Protective Services (CPS) investigation?

A public school must allow the Child Protective Services (CPS) worker to have access to the child, including observations and interviews. Parental consent is not required to interview a child in a public school, Wis. Stat. sec. [48.981\(3\)\(c\)](#). Because some instances of maltreatment warrant immediate action, it is critical for the school to make the child immediately available to the CPS caseworker. The CPS caseworker can facilitate this by giving the school notice of when she/he will be arriving at the school, when possible, even if it is simply a telephone call earlier in the same day.

The school should arrange for a private area for the CPS caseworker to interview the child. When the student is interviewed, the decision to have someone (other than the CPS worker) present is up to the child and the CPS worker. If the student wishes, and the CPS caseworker concurs, a school staff member may be present to provide support. It is critical that the educator not answer questions for the child or prompt the child in any way during the interview (e.g., "Remember, you told me that..."). Additionally, the educator should be alert for signs the child may want her/him to leave at some point in the interview. It is not unusual for a child to want someone from the school present until she/he is comfortable with the CPS worker.

28. Are reports handled differently when the suspected maltreater is not a caregiver?

In some counties the answer is yes. County social services agencies now have the autonomy to:

- continue to investigate all reports of suspected maltreatment, both caregiver and non-caregiver,
- investigate caregiver abuse reports only and refer non-caregiver reports to local law enforcement, or
- make this decision on a case-by-case basis, Wis. Stat. sec. [48.981\(3\)\(c\)](#).

A definition of a "caregiver" is provided in [Appendix A](#).

School districts should contact their respective county social or human services agency to determine what their county has decided to do in this regard. If non-caregiver reports are being referred to law enforcement, mandated reporters may fulfill their statutory requirement to report by contacting local law enforcement officials directly.

There may be situations where the presenting concern is abuse by a non-caregiver, but neglect by a parent is also a concern. Typically, these are situations where a parent is suspected of contributing to the abuse through failure to provide necessary care or failure to protect (e.g., a parent indiscriminately leaves a child with casual acquaintances and the child is abused). Child Protective Services (CPS) will continue to conduct an initial assessment of the child's family in these cases, as required by law, Wis. Stat. sec. [48.981\(3\)\(c\)1.a](#).

29. What are the possible outcomes of an investigation of suspected child abuse or neglect?

The purpose of a Child Protective Services (CPS) initial assessment is to determine if a child is in need of protection or services, Wis. Stat. sec. [48.981\(3\)\(c\)1](#). A CPS initial assessment consists of 1) an examination of the reported maltreatment or threatened maltreatment and 2) an assessment of the ability and commitment of the caregivers in the family to protect the child from foreseeable harm. This initial assessment process includes an evaluation of safety – the analysis of behaviors or conditions that put the child in immediate or imminent danger of serious physical harm – and a risk assessment, which identifies behaviors or conditions that could contribute to maltreatment of the child at some time in the future.

Upon completion of the initial assessment and within 60 days after the receipt of the report, CPS makes determinations about whether child abuse or neglect has occurred and whether circumstances justify a belief that abuse or neglect will occur (i.e., whether the child is safe or unsafe), Wis. Stat. sec. [48.981\(3\)\(c\)4](#).

While not required by state statute, CPS may also make a determination naming a specific individual a maltreater.

At anytime during the initial assessment that CPS determines a child is unsafe (i.e., the presence of present or impending danger, threats to a child's safety), a plan is immediately put in place to keep the child safe. These plans differ from treatment plans in that they are designed to control the effects of the dangerous conditions, not to create behavioral change. If the child cannot be maintained safely in the home with control-focused services, CPS seeks to remove the child for temporary placement with a relative or in a foster home.

The initial assessment generally concludes with one of the following actions:

- the case is closed with no referral for services,
- the case is closed and the family is referred to community services, or
- the case is opened for ongoing CPS services that are either voluntary or court-ordered.

Ongoing CPS services are designed to control and manage threats to the child's safety, to change the conditions endangering the child, and to strengthen the parents' or other caregivers' protective capacities. They generally include a combination of direct agency services and coordination of community services.

Whether or not a case is opened for services often depends upon:

- any safety threats present in the home,
- a family's willingness to receive services from the child welfare or other service agency, or
- the ability of the agency to obtain a court order mandating services when it is believed that the child is unsafe and the family refuses services.

The county must notify the mandated reporter what actions, if any, were taken to protect the health and welfare of the child within 60 days after the report of suspected abuse or neglect, Wis. Stat. sec. 48.981(3)(c)6. The mandated reporter may not redisclose this information to another person, unless authorized under Wis. Stat. sec. 48.981(7).

30. Why doesn't the Child Protective Services agency remove all abused or neglected children from their homes?

Child Protective Services seeks to remove children if they are unsafe and cannot be kept safely in their own home. This is a separate evaluation from whether the child has been abused or neglected. Most reports of suspected child abuse or neglect do not result in a finding that the child is unsafe (i.e., in immediate or imminent danger of serious harm). Many children who are determined to be unsafe can often be maintained safely in their homes with appropriate support services that control the effects of the dangerous conditions. Federal and state laws and child protection practice are sensitive to the trauma that children and families experience from involuntary separation. Removal of a child from the home is done only when absolutely necessary to protect the child. In addition, the child welfare agency has only limited power to remove and hold the child without a court order. That power is restricted to brief periods of time, on an emergency basis. The court must then decide if continued out-of-home placement is necessary to protect the child.

31. May schools share pupil records as part of a Child Protective Services (CPS) investigation?

Pupil records are confidential as delineated within state and federal law. The expectation in Ch. 48 that educators cooperate with the Child Protective Services investigation does not authorize disclosure of pupil records. However, state law does allow a school district to share pupil records, if there is an emergency that endangers the safety of an individual and the emergency may be alleviated through disclosure of pupil records to someone with the authority or capacity to intervene, Wis. Stat. sec. 118.125(2)(p) and 34 CFR 99.31(a)(10).

Additional information is provided in Question #32. More specific information on disclosures of pupil records is available in the publication *Sharing Information Across Systems* at <http://dpi.wi.gov/sspw/sharing.html>.

32. What kind of information can schools and child welfare agencies share about children and youth with whom both systems are working?

Pupil records and child welfare records are both confidential. However, the law provides opportunities for these systems to disclose information to each other under some circumstances.

- a) State and federal laws allow a school district to disclose pupil records to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health and safety of any individual, Wis. Stat. sec. 118.125(2)(p), 34 CFR 99.31, and 99.36. Federal law requires that this provision be construed narrowly (i.e., school districts should be conservative in determining what information can be shared with whom and under what conditions).
- b) A school district may disclose pupil records to a law enforcement agency, district attorney, city attorney, corporation counsel, county social services agency, child welfare or juvenile justice intake worker, court of record, municipal court, private

- school or another school district, if all of the following conditions are met: a) the school district has entered into an interagency agreement, b) the organization or individual requesting the pupil records is party to that interagency agreement, c) the purpose of the request concerns the juvenile justice system and its ability to effectively provide services to the youth before adjudication, and d) the requesting party certifies in writing that the records will not be redisclosed to anyone except as permitted by law, Wis. Stat. sec. [118.125\(2\)\(n\)](#).
- c) Wisconsin law allows the confidential transfer of information regarding a child in the care or legal custody of the county or a licensed child welfare agency with another child welfare agency, the child's school, a law enforcement agency, and other organizations, Wis. Stats. sec. [48.78\(2\)\(b\)](#) and [938.78\(2\)\(b\)1](#). However, this disclosure may not include information related to a report for suspected abuse or neglect of a child, which is prohibited under Wis. Stat. sec. [48.981\(7\)\(a\)](#).
 - d) Wisconsin law requires the county social services agency to inform a mandated reporter what actions, if any, were taken to protect the health and welfare of a child who was reported for suspected abuse or neglect. This notification to the reporter must be made within 60 days after the county receives the report from the mandated reporter, Wis. Stat. sec. [48.981\(3\)\(c\)6](#).
 - e) Wisconsin law allows a county to recognize a multidisciplinary child abuse and neglect team. Team members may include educators, social service and mental health professionals, law enforcement, and medical personnel. A team may be established for prevention or treatment of child abuse and neglect or to address a particular case or investigation. Reports and records governed by Ch. 48 and maintained by the county department of social or human services may be shared with the members of this team, Wis. Stat. sec. [48.981\(7\)\(a\)6](#).

More specific information on the disclosure of confidential records is available in the publication *Sharing Information Across Systems* at <http://dpi.wi.gov/sspw/sharing.html>.

33. What should an educator do if a parent confronts her/him about a report of suspected abuse or neglect?

It is not unusual for parents to assume that a report for suspected child maltreatment came from someone at the school. A parent may even tell the educator that the Child Protective Services (CPS) caseworker told him/her the educator made the report in hopes of eliciting an admission from the educator. Whether or not the educator was involved in the report or even has any knowledge of the report, it is very important for the educator to simply and calmly state that 1) reports for possible child abuse are required by law, and 2) the law also requires that the identity of any reporter be kept confidential.

34. Do school districts have responsibilities related to the prevention of child abuse and neglect?

Yes. State law requires school districts to provide classroom instruction at the elementary level to help prevent child abuse and neglect, Wis. Stat. sec. [118.01\(2\)\(d\)8](#). The instruction must:

- a) Provide knowledge of effective means by which pupils may recognize, avoid, prevent, and halt physically or psychologically intrusive or abusive situations which may be harmful to pupils, including child abuse, sexual abuse, and child enticement.

- b) Be designed to help pupils develop positive psychological, emotional, and problem-solving responses to such situations and avoid relying on negative, fearful, or solely reactive methods of dealing with such situations.
- c) Include information on available school and community prevention and intervention assistance or services and be provided to pupils in elementary schools.

When providing instruction to children, it is likely there will be children in the classroom who have experienced or are experiencing abuse. For this reason, it is recommended that a pupil services professional partner with the classroom teacher for this activity. In addition to helping provide the instruction, the pupil services professional can observe children and watch for unusual reactions (e.g., acting out or withdrawal) that may indicate the child may require individual assistance outside the classroom.

In addition, state law requires school districts provide classroom instruction on shaken baby syndrome at least once in grades 5-8 and at least once in grades 10-12, Wis. Stat. sec. [253.15\(5\)](#).

Finally, school districts must ensure that all school employees receive training from the Department of Public Instruction on mandatory reporting of child abuse and neglect within six months of initial hiring and at least every five years thereafter, Wis. Stat. sec. [118.07\(5\)](#). More information is available at <http://dpi.wi.gov/sspw/can.html>.

Concluding Comments

This publication was written to help educators in schools understand 1) their legal responsibilities to report suspected child maltreatment, and 2) how county child protective services (CPS) responds to these reports.

This publication can be used as a vehicle to increase communication between schools and counties. Both systems have a sincere interest in the health and well-being of children. To the extent that each of these two systems recognizes the value and importance of the other, cooperation will be increased, resulting in better outcomes for children and families.

Statutory references have been included, when applicable, to allow the reader to review the original sources. State statutes can be accessed electronically at <http://www.legis.state.wi.us/rsb/stats.html>. Type the statute number into the open field and click on "Search."

More information about Child Protective Services (CPS) can be obtained at the DCFS website at <http://dcf.wi.gov/children/CPS>.

A source for this publication was The Role of Educators in Preventing and Responding to Child Abuse and Neglect by Cynthia Crosson-Tower and published in 2003 by the Office on Child Abuse and Neglect in the U.S. Department of Education. A free copy may be obtained from the National Clearinghouse on Child Abuse and Neglect Information at (800) 394-3366 or nccanch@caliber.com.

Appendix A – Definitions

“Abuse,” other than when used in referring to abuse of alcohol beverages or other drugs, means any of the following:

- (a) Physical injury inflicted on a child by other than accidental means.
- (am) When used in referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree.
- (b) Sexual intercourse or sexual contact under Wis. Stats. sec. [940.225](#), [948.02](#), [948.025](#), or [948.085](#).
- (c) A violation of Wis. Stat. sec. [948.05](#).
- (d) Permitting, allowing or encouraging a child to violate Wis. Stat. sec. [944.30](#).
- (e) A violation of Wis. Stat. sec. [948.055](#).
- (f) A violation of Wis. Stat. sec. [948.10](#).
- (g) Manufacturing methamphetamine in violation of Wis. Stat. sec. [961.41\(1\)\(e\)](#) under any of the following circumstances:
 - 1. With a child physically present during the manufacture.
 - 2. In a child's home, on the premises of a child's home, or in a motor vehicle located on the premises of a child's home.
 - 3. Under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child.
- (gm) Emotional damage for which the child's parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms, Wis. Stat. sec. [48.02\(1\)](#).

“Caregiver” means, with respect to a child who is the victim or alleged victim of abuse or neglect or who is threatened with abuse or neglect, any of the following persons:

- The child's parent, grandparent, great-grandparent, stepparent, brother, sister, stepbrother, stepsister, half brother, or half sister.
- The child's guardian.
- The child's legal custodian.
- A person who resides or has resided regularly or intermittently in the same dwelling as the child.
- An employee of a residential facility or residential care center for children and youth in which the child was or is placed.
- A person who provides or has provided care for the child in or outside of the child's home.
- Any other person who exercises or has exercised temporary or permanent control over the child or who temporarily or permanently supervises or has supervised the child.
- Any relative of the child other than a relative specified above, Wis. Stat. sec. [48.981\(1\)\(am\)](#).

“Child” means a person who is less than 18 years of age, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, "child" does not include a person who has attained 17 years of age, Wis. Stat. sec. 48.02(2).

"Community placement" means probation; extended supervision; parole; aftercare; conditional transfer into the community under Wis. Stat. sec. 51.35(1); conditional transfer or discharge under Wis. Stat. sec. 51.37(9); placement in a Type 2 residential care center for children and youth or a Type 2 juvenile correctional facility authorized under Wis. Stat. sec. 938.539(5); conditional release under Wis. Stat. sec. 971.17; supervised release under Wis. Stats. sec. 980.06 or 980.08; participation in the community residential confinement program under Wis. Stat. sec. 301.046, the intensive sanctions program under Wis. Stat. sec. 301.048, the corrective sanctions program under Wis. Stat. sec. 938.533, the intensive supervision program under Wis. Stat. sec. 938.534, or the serious juvenile offender program under Wis. Stat. sec. 938.538; or any other placement of an adult or juvenile offender in the community under the custody or supervision of the department of corrections, the department of health services, a county department under Wis. Stats. sec. 46.215, 46.22, 46.23, 51.42, or 51.437 or any other person under contract with the department of corrections, the department of health services or a county department under Wis. Stats. sec. 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the offender., Wis. Stat.sec. 48.981(1)(b).

“County department” means a county department under Wis. Stats. sec. 46.22 or 46.23, unless the context requires otherwise, Wis. Stat. sec. 48.02(2g).

“Court,” when used without further qualification, means the court assigned to exercise jurisdiction under Ch. 48 and Ch. 938, Wis. Stats. sec. 48.02(2m) and 938.02(2m).

“Court intake worker” means any person designated to provide intake services under Wis. Stats. sec. 48.067 or 938.067, Wis. Stats. sec. 48.02(3) and 938.02(3).

“Department” means the department of children and family services, Wis. Stat. sec. 48.02(4).

“Emotional damage” means harm to a child's psychological or intellectual functioning for which the child's parent, guardian, or legal custodian has neglected, refused, or been unable for reasons other than poverty to obtain necessary treatment or take steps to ameliorate the symptoms. "Emotional damage" shall be evidenced by one or more of the following characteristics exhibited to a severe degree: anxiety; depression; withdrawal; outward aggressive behavior; or a substantial and observable change in behavior, emotional response or cognition that is not within the normal range for the child's age and stage of development, Wis. Stats. sec. 48.02(1)(gm) and 48.02(5j).

“Foster home” means any facility that is operated by a person required to be licensed by Wis. Stat. sec. 48.62(1), and that provides care and maintenance for no more than 4 children or, if necessary to enable a sibling group to remain together, for no more than 6 children or, if the department promulgates rules permitting a different number of children, for the number of children permitted under those rules, Wis. Stat. sec. 48.02(6).

“Group home” means any facility operated by a person required to be licensed by the department under Wis. Stat. sec. 48.625, for the care and maintenance of 5 to 8 children, as provided in Wis. Stat. sec. 48.625(1), Wis. Stat. sec. 48.02(7).

“Guardian” means the person named by the court having the duty and authority of guardianship, Wis. Stat. sec. [48.02\(8\)](#).

“Juvenile detention facility” means a locked facility approved by the department of corrections under Wis. Stat. sec. [301.36](#), for the secure, temporary holding in custody of children, Wis. Stat. sec. [48.02\(10r\)](#).

“Legal custodian” means a person, other than a parent or guardian, or an agency to whom legal custody of the child has been transferred by a court, but does not include a person who has only physical custody of the child, Wis. Stat. sec. [48.02\(11\)](#).

“Legal custody” means a legal status created by the order of a court, which confers the right and duty to protect, train and discipline the child, and to provide food, shelter, legal services, education and ordinary medical and dental care, subject to the rights, duties and responsibilities of the guardian of the child and subject to any residual parental rights and responsibilities and the provisions of any court order, Wis. Stat. sec. [48.02\(12\)](#).

“Neglect” means failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child, Wis. Stat. sec. [48.02\(12g\)](#).

“Parent” means either a biological parent, a husband who has consented to the artificial insemination of his wife under Wis. Stat. sec. [891.40](#), or a parent by adoption. If the child is a nonmarital child who is not adopted or whose parents do not subsequently intermarry under Wis. Stat. sec. [767.803](#), "parent" includes a person acknowledged under Wis. Stat. sec. [767.805](#), or a substantially similar law of another state or adjudicated to be the biological father. "Parent" does not include any person whose parental rights have been terminated, Wis. Stat. sec. [48.02\(13\)](#).

“Physical custody” means actual custody of the person in the absence of a court order granting legal custody to the physical custodian, Wis. Stat. sec. [48.02\(14\)](#).

“Physical injury” includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm, as defined in Wis. Stat. sec. [939.22\(14\)](#), Wis. Stat. sec. [48.02\(14g\)](#).

“Record” means any document relating to the investigation, assessment and disposition of a report under this section, Wis. Stat. sec. [48.981\(1\)\(f\)](#). [Note: This definition relates only to CPS records and not the more general child welfare records. For information regarding confidentiality of these records, please see Wis. Stat. sec. [48.78](#) and other sections of Ch. 48 and Ch. 938.]

“Relative” means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce, Wis. Stat. sec. [48.02\(15\)](#).

“Reporter” means a person who reports suspected abuse or neglect or a belief that abuse or neglect will occur under this section, Wis. Stat. sec. [48.981\(1\)\(g\)](#).

“Residential care center for children and youth” means a facility operated by a child welfare agency licensed under Wis. Stat. sec. [48.60](#), for the care and maintenance of children residing in

that facility, Wis. Stat. sec. [48.02\(15d\)](#). [Note: In previous statutes, residential care centers were named child caring institutions.]

“Sexual contact” means any of the following:

- a) Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading or sexually humiliating the complainant or sexually arousing or gratifying the defendant:
 1. Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts.
 2. Intentional touching by the complainant, by the use of any body part or object, of the defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.
- b) Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant's instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.
- c) For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant's body, whether clothed or unclothed, Wis. Stat. sec. [948.01\(5\)](#).

“Sexual intercourse” means vulvar penetration as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required, Wis. Stat. sec. [948.01\(6\)](#).

“Shelter care facility” means a nonsecure place of temporary care and physical custody for children, including a holdover room, licensed by the department under Wis. Stat. sec. [48.66\(1\)\(a\)](#), Wis. Stat. sec. [48.02\(17\)](#).

“Special treatment or care” means professional services which need to be provided to a child or his or her family to protect the well-being of the child, prevent placement of the child outside the home or meet the special needs of the child. "Special treatment or care" also means professional services which need to be provided to the expectant mother of an unborn child to protect the physical health of the unborn child and of the child when born from the harmful effects resulting from the habitual lack of self-control of the expectant mother in the use of alcohol, controlled substances or controlled substance analogs, exhibited to a severe degree. This term includes, but is not limited to, medical, psychological or psychiatric treatment, alcohol or other drug abuse treatment or other services which the court finds to be necessary and appropriate, Wis. Stat. sec. [48.02\(17m\)](#).

Appendix B - Indicators of Possible Child Maltreatment

Source: The Role of Educators in Preventing and Responding to Child Abuse and Neglect by Cynthia Crosson-Tower

Warning Signs of Possible Neglect

Does the child regularly or frequently...

- Come to school in soiled clothing or clothing that does not fit or clothing that is in need of repair?
- Seem inadequately dressed for the weather?
- Seem to be hungry, hoarding or stealing food, while coming to school with little or none of his/her own food?
- Appear listless or tired?
- Report caring for younger siblings?
- Demonstrate poor hygiene, smell of urine or feces, or have very bad breath or dirty or decaying teeth?
- Seem emaciated or have a distended stomach?
- Have unattended medical problems?
- Steal, vandalize, or engage in other delinquent behavior?
- Miss school or is late to school?
- Have poor relationships?
- Appear withdrawn?
- Crave attention, even to the point of eliciting negative responses?
- Demonstrate destructive behavior without any apparent remorse?
- Exhibit low self-esteem?
- Have a conduct disorder or act oppositionally defiant?
- Have difficulty problem-solving or coping?
- Have difficulty with language comprehension and expression?

Warning Signs of Possible Physical Abuse

Does the child have...

- Bruises, especially around the head or face, abdomen, or midway between the wrist and elbow?
- Bruises that are different colors?
- Bruises that are in the shape of objects?
- Marks that may have come from an electrical cord or other whip-like object?
- Bruises on multiple parts of the body from possible blows from different directions?
- Complaints of soreness or stiffness or awkward movements that could be from pain?
- Bald spots (from severe hair pulling)?
- Adult-sized human bite marks?
- Burns, especially from objects such as cigarettes, irons, or other objects?
- Injuries for which the explanation given is inadequate?

Warning Signs of Possible Emotional Abuse

Does the child sometimes exhibit...

- Inappropriate affect, such as turning negatives into jokes or laughing when in pain?
- Withdrawal?
- Self-destructive behavior (e.g., cutting or mutilating)?
- General destructive behavior?
- Difficulties concentrating or learning new material?
- Compulsive attention to detail?
- Cruelty to others?
- Vandalism, stealing, cheating?
- Rocking, thumb-sucking, head-banging?
- Enuresis or encopresis?
- Substance abuse?
- Characteristics of an eating disorder?
- Frequent headaches or stomachaches or unexplained weight loss or gain?
- Delinquent behavior?

Warning Signs of Possible Sexual Abuse

Does the child exhibit...

- Exceptional secrecy?
- In-depth sexual play with peers?
- Extreme compliance or withdrawal?
- Overt aggression?
- An inordinate fear of people from one gender?
- Extremely seductive behavior?
- A drop in school performance or sudden non-participation in school activities?
- Crying without provocation?
- Sudden phobic behavior?
- Feelings of little self-worth or talk of being damaged?
- A much older or more worldly appearance than peers?
- Suicidal ideation?
- Cruelty to animals, especially pets?
- Characteristics of an eating disorder?
- Self-mutilation (e.g., cutting)?

Does the child...

- Report sleep problems or nightmares?
- Attempt to run away from home?
- Set fires and enjoy watching them?

Family Behaviors Indicating Possible Maltreatment

Does the family...

- Seem unconcerned about the child?
- Fail to keep appointments or refuse to discuss problems the child is having in school?
- Behave in a bizarre or irrational manner?
- Blame or belittle the child?
- See the child as very different (in a negative way) from siblings?
- See the child as bad, evil, or a monster?
- Claim the child is accident-prone?